APPENDIX

APPENDIX A

Local Rule 21 of the United States Court of Appeals for the Seventh Circuit provides:

Rule 21. *Affirmance Without Opinion*

When the court determines that any one or more of the following circumstances exists and is dispositive of a matter submitted to the court for decision: (1) that a judgment of the district court is based on findings of fact which are not clearly erroneous; (2) that the evidence in support of a jury verdict is not insufficient; (3) that the order of an administrative agency is supported by substantial evidence on the record as a whole; (4) that no error of law appears; and the court also determines that an opinion would have no precedential value, the judgment or order may be affirmed or enforced without opinion.

In such case, the court may in its discretion enter either of the following orders: "AFFIRMED. See Local Rule 21," or "ENFORCED. See Local Rule 21."

See N. L. R. B. v. Amalgamated Clothing Workers of America, 5th Cir. 1970, 430 F.2d 966.

APPENDIX B

IN THE

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 73-2126

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

versus

JOHN PHILLIP LA GIOIA and
WILLIAM EARL WRODA,
Defendants-Appellants.

Appeal from the United States District Court for the Southern District of Texas

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(December 4, 1973)

Before TUTTLE, DYER and MORGAN,
Circuit Judges.

PER CURIAM: AFFIRMED. See Local Rule 21.[1]

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[1] See N.L.R.B. v. Amalgamated Clothing Workers of America, 5 Cir., 1970, 430 F.2d 966.

APPENDIX C

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

October Term, 1973

No. 73-2126

D.C. Docket No. CR 72 B 833

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

versus

JOHN PHILLIP LA GIOIA and
WILLIAM EARL WRODA,
Defendants-Appellants.

Appeal from the United States District Court for the Southern District of Texas

Before TUTTLE, DYER and MORGAN, Circuit Judges.

J U D G M E N T

This cause came on to be heard on the transcript of the record from the United States District Court for the Southern District of Texas, and was argued by counsel;

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

December 4, 1973

Issued as Mandate:

APPENDIX D

21 U.S.C., Section 841(a)(1) provides:

§841. *Prohibited acts A—Unlawful acts*

(a) Except as authorized by this subchapter, it shall be unlawful for any person knowingly or intentionally—

(1) to manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance.

21 U.S.C., Section 846 provides:

§ 846. *Attempt and conspiracy*

Any person who attempts or conspires to commit any offense defined in its subchapter is punishable by imprisonment or fine or both which may not exceed the maximum punishment prescribed for the offense, the commission of which was the object of the attempt or conspiracy.

21 U.S.C., Section 952 provides in pertinent part:

§952. *Importation of controlled substances*

(a) It shall be unlawful to import into the customs territory of the United States from any place outside thereof (but within the United States), or to import into the United States from any place outside thereof, any controlled substance in schedule I or II of subchapter I of this chapter, or any narcotic drug in schedule III, IV, or V of subchapter I of this chapter.